

Application No.: 09/849,460  
Docket No.: JCLA6212

### **REMARKS**

#### **Present Status of Application**

Claims 1-26 are currently pending in the application. The Office Action mailed October 03, 2002, further pointed out that claims 11 and 16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1, 2, 4, 6-10, 12-14, 17-18 and 20-25 were rejected under 35 USC§102 (b) as being anticipated by Kwon et al. (US Patent No. 6,004,876). Claims 3, 15, 19 and 26 were rejected under 35 USC§103 (a) as being unpatentable over Kwon et al. in view of Dixit et al. (US Patent No. 6,355,558). Claim 5 was rejected under 35 USC§103 (a) as being unpatentable over Kwon et al. in view of Tanabe et al. (US Patent No. 6,323,115).

Claims 1 and 12 have been amended, as suggested by the Office Action, to include limitations of allowable claims 11 and 16, while claims 11 and 16 have been cancelled. Claims 17-26 have been cancelled. No new matter has been added to the application by the amendments made to the specification, claims and drawings. After entering the amendments, claims 1-10 and 12-15 remain pending.

#### **Discussion for 35 USC§102 and 103 rejections**

*Claims 1, 2, 4, 6-10, 12-14, 17-18 and 20-25 were rejected under 35 USC§102 (b) as being anticipated by Kwon et al. (US Patent No. 6,004,876).*

As pointed out by the Office Action, claims 11 and 16 contain allowable subject matters.

Claims 1 and 12 have been amended to include limitations cited in claims 11 and 16

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respectively, according to the suggestion of the Office Action. As a result, Applicant submits that amended claims 1 and 12 as well as their dependent claims 2, 4, 6-10 and 13-14 patently define over the prior art and the cited reference. Claims 17-18 and 20-25 have been cancelled.

*Claims 3, 15, 19 and 26 were rejected under 35 USC§103 (a) as being unpatentable over Kwon et al. in view of Dixit et al. (US Patent No. 6,355,558).*

*Claim 5 was rejected under 35 USC§103 (a) as being unpatentable over Kwon et al. in view of Tanabe et al. (US Patent No. 6,323,115).*

Dependent claims 3, 5 and 15 are patently distinguishable over the cited reference for at least the same reasons as independent claims 1 and 12, from which these claims respectively depend. Claims 19 and 26 have been cancelled.

In view of the above amendment, reconsideration and withdrawal of the Section 103 rejections is respectfully requested.

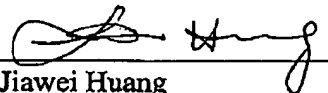
### CONCLUSION

In view of the foregoing, it is believed that all pending claims 1-10 and 12-15 are in proper condition for allowance, and such allowance is earnestly requested.

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**VERSION WITH MARKINGS TO SHOW CHANGES**

**IN THE CLAIMS**

Claims 11 and 16-26 have been canceled without prejudice or disclaimer.

Claims 1 and 12 have been amended as follows:

1. (Once Amended) A process for forming a conducting structure layer that can reduce metal etching residues, comprising steps as follows:

a substrate is provided;

a barrier layer is formed on the substrate;

a pre in-situ metal layer is formed on the barrier layer; [and]

a first metal layer is formed immediately after the pre in-situ metal layer is formed and in the same vacuum surrounding as the one in which the pre in-situ metal layer is formed; and

a photolithography and etching step is performed to define the barrier layer, the pre in-situ metal layer and the first metal layer.

12. (Once Amended) A process for forming a conducting structure layer, comprising the following steps:

a substrate is provided;

a pre in-situ metal layer is formed on the substrate; [and]

a metal layer is formed on the pre in-situ metal layer; and

a photolithography and etching step is performed to define the pre in-situ metal layer and the metal layer.